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EXAMINER
PAPPAS, PETER

ART UNIT	PAPER NUMBER
2671	

DATE MAILED: 12/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _2/21/2002_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-14_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-14_ is/are rejected.

7)☒ Claim(s) _12-14_ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _21 February 2002_ is/are: a)☐ accepted or b)☒ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☒ All   b)☐ Some *   c)☐ None of:

         1.☐ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.

     a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____.

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _5_.   6) ☐ Other: .

DETAILED ACTION

Specification

1.   The specification is objected to as failing to provide proper antecedent basis for

the claimed subject matter "preview window." See claims 12-14 and 37 CFR 1.75(d)(1)

and MPEP § 608.01(o).

Drawings

2.   The drawings are objected to under 37 CFR 1.83(a). The drawings must show

every feature of the invention specified in the claims. Therefore, the "preview window"

must be shown or the feature(s) canceled from the claim(s). No new matter should be

entered.

A proposed drawing correction or corrected drawings are required in reply to the

Office action to avoid abandonment of the application. The objection to the drawings

will not be held in abeyance.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-2, 5-9 and 12-14 are rejected under 35 U.S.C. 103(a) as being

unpatentable over GIF Construction Set Professional Homepage

(http://web.archive.org/web/19991128200510/http://mindworkshop.com/alchemy/gifcon.

html) and GIF Construction Set Professional Manual, referred to herein as GCSP

Homepage and GCSP Manual respectively, in view of 3Com AirConnect Wireless LAN

Solution

(http://web.archive.org/web/20001217045000/http://www.3com.com/mobile/wireless/pdf/

datasheet.pdf), referred to herein as 3Com. GCSP Manual further includes references

to "Introduction and Tutorial" and "Reference", which are part of said GCSP Manual.

5.   In regards to claim 1:

(a) editing of at least one of the images in said wireless communication

terminal prior to the generating of the animation; and

6.   GCSP Homepage and GCSP Manual disclose:

▪   Rotate, crop, colour-adjust and resize all or part of an animation sequence. See

GCSP Homepage, page 3.

7.   It is noted that "part of an animation" can contain a variable number of image

frames, which together can represent all or part of the whole animation. As such, said

variable number of image frames can consist of a single image frame or multiple image

frames.

(b) successively displaying said sequence of images in said wireless

communication terminal in a predetermined order and with predetermined

intervals between the images.

8.   GCSP Homepage and GCSP Manual disclose:

▪   Selected files in the center list can be added to the right list, for inclusion in your

final animation. Selected files in the right list can be repositioned in the list or

removed. Your final animation will be assembled from all the files in the right list,
selected or not. See Reference, page 5.

- See GCSP Homepage page 3, Fig. 1.

- The View function of the GIF Construction Set Block menu can also be accessed
  through the View button in the tool bar. Select View to view a still or animated
  GIF file. The View mode will display all the animated elements of your GIF files.
  See Reference, page 46.

- Delay: You can specify the time for which your image will be visible, as specified
  in 1/100ths of a second. See Introductory Tutorial, page 10.

9.   GCSP Homepage and GCSP Manual fail to disclose said wireless
communication terminal.

10.   3Com discloses:

- AirConnect overcomes the limitations of wired networks by providing fast,
  reliable, simple and secure access. See page 1 and page 2, Fig. 2.

- IEEE 802.11b and Wi-Fi compliant. See page 3.

- Specifications. Computer Slot Type: PC Card (Type II 16-bit PC Card) and PCI
  Card (32-bit PCI NIC). See page 4.

11.   It would have been well known and obvious to one skilled in the art, at the time of
the applicant's invention, for the combination of an AirConnect Wireless device and a
conventional mobile computing system/device (such as a laptop), because as per the
disclosed specification of said AirConnect Wireless it is designed to operate in only one
of two forms: PC Card (Type II - typically, but not limited too, use with mobile computing

systems/devices, such as laptops, notebooks, etc.) and PCI Card (32-bit PCI – typically, but not limited too, use with non-mobile computing systems/devices, such as a desktop workstation). Thus, a computing system/device in one form or another, mobile or not, would be required for operation of the AirConnect Wireless device, as disclosed above by 3Com, to allow for a wireless communication terminal to be created.

12.   Furthermore, it would have been well known to one skilled in the art, at the time of the applicant's invention, that for any piece of published software, animation specific and mobile or not, it must reside in one form of memory or another, on a computer system/device, to be able to be utilized as intended. Thus, it would have been obvious to store and execute a computer animation program in memory, on a computer system/device, to allow for successful operation of said computer animation program in addition to allowing for the remote processing of work – animation related or not.

13.   In regards to claim 2:

A method according to claim 1, wherein the sequence of images is displayed repeatedly for a number of times, a user of the communication terminal sets said number of times the display of the sequence of images is to be repeated.

14.   GCSP Homepage and GCSP Manual disclose:

- Loop Block: If it's present, this tells your web browser than the animation in your GIF file should loop. A Loop block can specify indefinite looping or a specific number of iterations. See Introductory Tutorial, page 18.

- The Loop command adds a Loop block. For proper operation, this command must appear immediately after the Header command. It recognizes the following argument: Iterations. The Iterations argument defines the number of times your GIF file will loop. It must have a value between zero and 32767. See Reference, page 34.

15.   In regards to claim 5:

A method according to claim 1, wherein the editing of at least one of the images prior to the generating of the animation includes resizing the images into a display size being specific for an application in the communication terminal in which the animation has to be used.

- GCSP Homepage and GCSP Manual disclose:

- Reduce the size of your GIF files with Supercompressor. Rotate, crop, colour-adjust and resize all or part of an animation sequence. See GCSP Homepage, page 3.

- The Resize function in the GIF Construction Set Block menu will allow you to change the size of one or more images in a GIF file. You can resize images by size or factor – that is, you can resize them to specific pixel dimensions or you can resize them by a percentage. Note that resizing to a factor of 100 percent has no effect. Resizing to a factor of 50 percent will result in a graphic which is half the size of the original. Resizing to a factor of 200 percent will result in a graphic which is twice the size of the original. This function only affects the

selected blocks in the current document window. To apply it to all the blocks in a GIF file, click on the green "Tag All" button. See Reference, page 30-31.

- The Crop function in the GIF Construction Set Block menu will remove the area outside a selected rectangle for some or all of the images in a GIF file. This function only affects the selected blocks in the current document window. To apply it to all the blocks in a GIF file, click on the green "Tag All" button.

- See Reference, page 15.

16.   It is noted that cropping is being considered as a form of resizing a given image and/or animation.

17.   GCSP Homepage and GCSP Manual fail to explicitly disclose resizing the images into a display size being specific for an application in the communication terminal in which the animation has to be used.

18.   It would have been well known to one skilled in the art, at the time of the applicant's invention, to use the technique of resizing an image(s) (which may or may not be part of an animation) for the purpose of being viewable in a given medium via one of two conventional methods: (1) through modification of the proportions of said image(s) or (2) via cropping in which various elements of an image(s) are removed. Thus, it would have been obvious make allowances for said resizing methods so to facilitate viewing of an animation in said given medium, whether that medium be larger or smaller then the then image(s).

19.   In regards to claim 6:

A method according to claim 5, wherein the user controls the resizing of only one of the images and the communication terminal automatically resizes the remaining images.

- The rationale provided in the rejection of claim 5 is incorporated herein. Note the "Tag All" feature.

20.   In regards to claim 7:

A method according to claim 1, wherein the editing of at least one of the images prior to the generating of the animation includes displaying of the images as bit-map pattern, and changing said bit-map pattern under control of a user of the communication terminal, storing the edited image, transferring the change to the remaining images in the sequence.

- The rationale provided in the rejection of claims 1 and 6 are incorporated herein.

- The Save and Save As functions of the File menu will save your current GIF file to disk. See Reference, page 25.

21.   In regards to claim 8:

A communication terminal having a processor, transceiver means for communication via a wireless network, and a display, said processor is adapted to generate an animation in said display by displaying the sequence of images, and comprising in said wireless communication terminal:

- The rationale provided in the rejection of claim 1 is incorporated herein.

22.   GCSP Homepage and GCSP Manual fail to disclose a computer terminal having a processor and a display.

23.   It would have been well known and obvious to one skilled in the art, at the time of the applicant's invention, that for any given mobile computing system/device there must be present at least one processor for the processing of data, which is either incoming, outgoing or local to said mobile computing system/device.

24.   Furthermore, it would have been well known and obvious to one skilled in the art, at the time of the applicant's invention, that for any given mobile computing system/device there must be a display means by which to present processed data on said mobile computing system/device.

(a) means of editing of at least one of the images prior to the generating of the animation; and

- The rationale provided in the rejection of limitation (a) of claim 1 is incorporated herein.

(b) means for successively displaying said sequence of images in a predetermined order and with a predetermined intervals between the images.

- The rationale provided in the rejection of limitation (b) of claim 1 is incorporated herein.

25.   In regards to claim 9 the rationale provided in the rejection of claim 2 is incorporated herein.

26.   In regards to claim 12 the rationale provided in the rejection of claim 5 is

incorporated herein.

27.   In regards to claim 13 the rationale provided in the rejection of claim 6 is

incorporated herein.

28.   In regards to claim 14 the rationale provided in the rejection of claim 7 is

incorporated herein.

29.   In regards to claims 12-14 it is noted a window, in any give form, is a

conventional way for displaying information on a computing system. In addition, in

regards to claim 12, it is noted that for any given computing operation (i.e. saving a file

or pressing a button on a computing system) the processing of any number of given

computer instructions is required. As such, whether originating from automation or user

input any action taken by and/or through software and/or hardware must be at some

point be processed, through at least one processor.

30.   Claims 3-4 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable

over GCSP Homepage, GCSP Manual and 3Com, as applied to claims 1-2, 5-9 and 12-

14 in further view of the applicant's admitted prior art (page 8 of the Specification).

31.   In regards to claim 3:

        A method according to claim 2, wherein the communication terminal

        compares said number of times the display of the sequence of images is to

        be repeat with a predetermined number; and if said number of times the

        display of the sequence of images is to be repeated exceeds said

predetermined number, the communication terminal only repeat the display

sequence said predetermined number of times.

32. GCSP Homepage, GCSP Manual and 3Com fail to explicitly disclose if said

number of times the display of the sequence of images is to be repeated exceeds said

predetermined number, the communication terminal only repeat the display sequence

said predetermined number of times.

33. Applicant discloses:

- Looping. NETSCAPE2.0 (maximum 50 loops displayed). See page 8, Table 2.

34. It would have been well known to one skilled in the art, at the time of the

applicant's invention, to provide a means by which to interrupt a set value of repetitions

for a given animation, as disclosed by the applicant above, so to allow greater control

over a given animation any of the various environments it might be used. Thus, it would

have been obvious to allow for the interruption of the repetition of the animation, as

disclosed by the applicant, so to allow for this feature to be utilized as disclosed above.

35. In regards to claim 4:

A method according to claim 3, wherein the communication terminal

repeats the display sequence said predetermined number of times once

more every time the communication terminal is activated afterwards.

36. GCSP Homepage, GCSP Manual, 3Com fail to disclose that the communication

terminal repeats the display sequence said predetermined number of times once more

every time the communication terminal is activated afterwards

37. It would have been well known to one skilled in the art, at the time of the applicant's invention, to have a specific function repeat upon execution of a given action (physical or not), which is tied to said function, (i.e. a "Hotkey") because it is conventional to do so and allows for further ease of use of a given application and/or computing system. This, it would have been obvious, to add this feature to the disclosed wireless communications terminal so to allow for greater functionality and usability.

38. In regards to claims 10 the rationale provided in the rejection of claim 3 is incorporated herein.

39. In regards to claim 11 the rationale provided in the rejection of claim 4 is incorporated herein.

40. In regards to claims 10-11 it is noted that for any given computing operation (i.e. saving a file or pressing a button on a computing system) the processing of any number of given computer instructions is required. As such, whether originating from automation or user input any action taken by and/or through software and/or hardware must be at some point be processed, through at least one processor.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Wells et al. (U.S. Patent Number 5,870,683). Wells et al. discloses a data structure for defining animation on a wireless mobile station, such as a cellular telephone.
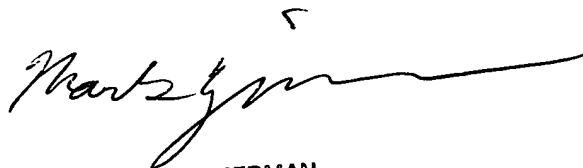
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter-Anthony Pappas whose telephone number is 703-305-8984. The examiner can normally be reached on M-F 9:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on 703-305-3885. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Peter-Anthony Pappas
Examiner
Art Unit 2671

PAP

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